

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GARNELL BAILEY, )  
Plaintiff ) Civil Action  
vs. ) No. 02-CV-04683  
LUCENT TECHNOLOGIES, INC. and )  
AGERE SYSTEMS, )  
Defendant )

O R D E R

NOW, this 28<sup>th</sup> day of September, 2004, upon consideration of Defendants' Amended Written Objections to Plaintiff's Proposed Evidence, which objections were filed March 1, 2004 in response to Plaintiff's Trial Memorandum filed February 23, 2004; after oral argument held this date; and for the reasons articulated simultaneously on the record,

IT IS ORDERED that defendants' objections are sustained in part and overruled in part.

IT IF FURTHER ORDERED, by agreement of counsel, that plaintiff shall not call as witnesses in this case Greg Hahn, Mark Chillis, George Markert, David Delgrossos, Becky Street, George Bokeeh and Jerry Riddick.

IT IS FURTHER ORDERED that defendants' objection to the trial testimony of Ed Tanner, L. Ed Herr, Keelathur Vasudevan,

John Dickson, Mary Singer, Elizabeth Simonski, Patricia Schuster and Nancy Mulzet is overruled subject to the following conditions.

IT IS FURTHER ORDERED that plaintiff may call the foregoing eight witnesses at trial only if defendants are provided an opportunity in advance of their testimony to interview each witness called.

BY THE COURT:

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James Knoll Gardner  
United States District Judge